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REMARKS

The Office Action mailed August 24, 2005 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-20 are now pending in this application. Claim 14 is withdrawn. Claims 1-13 and 15-20 stand rejected.

Initially, Applicants note that the Office Action summary indicated Claims 1-13 and 15-20 as being allowed. However, from the Office Action detail, it is apparent that the Claims were intended to be indicated as rejected and the Office Action is responded to accordingly.

The rejection of Claims 1, 2, 6, 7, 16, and 19 under 35 U.S.C. § 102(b) as being anticipated by either Brucken et al. (Brucken) (U.S. Patent No. 3,603,118) or O'Connell et al. (O'Connell) (U.S. Patent No. 4,848,105) is respectfully traversed.

Brucken describes a tub assembly for a clothes washer (10) that includes an outer tub assembly or water container (12) and an inner tub assembly or spin tub (14). The outer tub assembly is mounted on a suspension system support plate (16). The inner tub nested within the outer tub and includes an inner tub (110) having an outwardly tapered outer side wall (112). The outer wall is formed with inwardly directed tub scrubbing ribs (120) spaced eight degrees apart. The tub ribs taper in a vertical direction merging smoothly with the sidewall of the inner tub.

O'Connell describes a washing machine (10) including an outer tub (18) for containing washing fluid. A spin tub (44) is mounted about the axis of a drive tube (38) and includes a vertically extending, generally cylindrical side wall (46) which may have an outward taper toward the upper end. The spin tub may also be provided with flutes or ribs (48) extending vertically at spaced locations to provide stiffness.

Claim 1 recites a basket for a washing machine, said basket including "a body comprising an outer wall and at least one rib extending radially inward from said wall, said rib comprising at least a first portion having a first cross section and a second portion having a second cross section, said second cross section different from said first cross section, said wall including a

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plurality of apertures therethrough, said apertures arranged in single vertically aligned columns between adjacent ribs”.

Neither Brucken nor O’Connell describe or suggest a washing machine basket as recited in Claim 1. More specifically, neither Brucken nor O’Connell describe or suggest a basket having an outer wall including a plurality of apertures therethrough, wherein the apertures are arranged in single vertically aligned columns between adjacent ribs. Rather, Brucken describes a basket having a tub with tapered ribs. O’Connell describes a spin tub with stiffening ribs. Neither Brucken nor O’Connell describe single rows of apertures between ribs. Accordingly, Claim 1 is submitted to be patentable over either Brucken or O’Connell.

Claim 2 depends from independent Claim 1. When the recitations of Claim 2 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claim 2 is likewise patentable over either Brucken or O’Connell.

Claim 6 recites a washing machine basket including “an outer wall; a plurality of ribs projecting radially inwardly from said outer wall, each said rib comprising a first end and a second end, said first end projecting a first radial distance from said outer wall, said second end projecting a second radial distance from said outer wall, said first radial distance less than said second radial distance; and a plurality of apertures formed in said outer wall, said apertures arranged in single vertically aligned columns between adjacent ribs”.

Neither Brucken nor O’Connell describe or suggest a washing machine basket as recited in Claim 6. More specifically, neither Brucken nor O’Connell describe or suggest a basket having an outer wall including a plurality of apertures formed in the outer wall, wherein the apertures are arranged in single vertically aligned columns between adjacent ribs. Rather, Brucken describes a basket having a tub with tapered ribs. O’Connell describes a spin tub with stiffening ribs. Neither Brucken nor O’Connell describe single rows of apertures between ribs. Accordingly, Claim 6 is submitted to be patentable over either Brucken or O’Connell.

Claim 7 depends from independent Claim 6. When the recitations of Claim 7 are considered in combination with the recitations of Claim 6, Applicants submit that dependent Claim 7 is likewise patentable over either Brucken or O’Connell.

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Claim 16 recites A washing machine basket including "a substantially cylindrical outer wall and a plurality of inwardly projecting ribs depending therefrom, each said rib comprising: a first portion having a first radially extending height from said outer wall and a first tangential width; and a second portion having a second radially extending height from said outer wall and a second tangential width, said first height less than said second height, said first width greater than said second width, wherein, said outer wall includes a plurality of apertures therethrough, said apertures arranged in single vertically aligned columns between adjacent ribs".

Neither Brucken nor O'Connell describe or suggest a washing machine basket as recited in Claim 16. More specifically, neither Brucken nor O'Connell describe or suggest a basket having an outer wall including a plurality of apertures therethrough, wherein the apertures are arranged in single vertically aligned columns between adjacent ribs. Rather, Brucken describes a basket having a tub with tapered ribs. O'Connell describes a spin tub with stiffening ribs. Neither Brucken nor O'Connell describe single rows of apertures between ribs. Accordingly, Claim 16 is submitted to be patentable over either Brucken or O'Connell.

Claim 19 recites a washing machine including "a cabinet; and a basket rotatably mounted in said cabinet, said basket comprising an outer wall and a plurality of radially inwardly projecting ribs extending from said outer wall, said ribs having a varying width between ends thereof, said basket further including a plurality of apertures therethrough, said apertures arranged in single vertically aligned columns between adjacent ribs".

Neither Brucken nor O'Connell describe or suggest a washing machine as recited in Claim 19. More specifically, neither Brucken nor O'Connell describe or suggest a washing machine including a basket including a plurality of apertures therethrough, wherein the apertures are arranged in single vertically aligned columns between adjacent ribs. Rather, Brucken describes a basket having a tub with tapered ribs. O'Connell describes a spin tub with stiffening ribs. Neither Brucken nor O'Connell describe single rows of apertures between ribs. Accordingly, Claim 19 is submitted to be patentable over either Brucken or O'Connell.

For at least the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 1, 2, 6, 7, 16, and 19 be withdrawn.

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The rejection of Claims 3 and 13 under 35 U.S.C. § 103 (a) as being unpatentable over Brucken or O'Connell in view of Josselyn (U.S. Patent No. 913,506) is respectfully traversed.

Brucken and O'Connell are described above. Josselyn describes a washing machine including a receptacle (1) and a removable closure (2) which together constitute an inclosing boiler. A shaft (3,) to which an operating crank is attached, extends through the boiler to rotate a cylinder (6) within the boiler. A retaining band or strip (13) is provided for stiffening or strengthening the cylinder.

Applicants respectfully submit that the Section 103 rejection of the presently pending claims is not a proper rejection. As is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. None of Brucken, O'Connell or Josselyn, considered alone or in combination, describe or suggest the claimed combination.

To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re *Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). In the present case, none of Brucken, O'Connell, or Josselyn, considered alone or in combination describe or suggest a basket for a clothes washer that includes a apertures vertically aligned in single columns between adjacent vertically extending ribs.

Josselyn is cited for its teaching of a support band in a washing machine. The Josselyn apparatus includes a band that holds a number of rods or wires in a cylindrical arrangement. The apparatus in no way relates to contemporary washers. Thus, no motivation can be shown in the references themselves for combining the references. For these reasons alone, Applicants respectfully request that the Section 103 rejection be withdrawn.

Nevertheless, Claim 3 depends from Claim 1 which recites a basket for a washing machine, said basket including "a body comprising an outer wall and at least one rib extending radially inward from said wall, said rib comprising at least a first portion having a first cross section and a second portion having a second cross section, said second cross section different from said first cross section, said wall including a plurality of apertures therethrough, said apertures arranged in single vertically aligned columns between adjacent ribs".

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None of Brucken, O'Connell, or Josselyn, considered alone or in combination, describe or suggest a washing machine basket as recited in Claim 1. More specifically, none of Brucken, O'Connell, or Josselyn, considered alone or in combination, describe or suggest a basket having an outer wall including a plurality of apertures therethrough, wherein the apertures are arranged in single vertically aligned columns between adjacent ribs. Rather, Brucken describes a basket having a tub with tapered ribs. O'Connell describes a spin tub with stiffening ribs. Josselyn describes a strengthening band holding a plurality of rods in the form of a cylinder. Accordingly, Claim 1 is submitted to be patentable over either Brucken in view of Josselyn or O'Connell in view of Josselyn.

Claim 3 depends from independent Claim 1. When the recitations of Claim 3 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claim 3 is likewise patentable over either Brucken in view of Josselyn or O'Connell in view of Josselyn.

Claim 13 depends from Claim 10 which recites a washing machine basket including "an outer wall and a plurality of vertically extending ribs projecting radially inwardly from said outer wall at a distance of about 0.395 to about 1.5 inches, said outer wall including a plurality of apertures therethrough, said apertures arranged in single vertically aligned columns between adjacent ribs".

None of Brucken, O'Connell, or Josselyn, considered alone or in combination, describe or suggest a washing machine basket as recited in Claim 10. More specifically, none of Brucken, O'Connell, or Josselyn, considered alone or in combination, describe or suggest a basket having an outer wall including a plurality of apertures therethrough, wherein the apertures are arranged in single vertically aligned columns between adjacent ribs. Rather, Brucken describes a basket having a tub with tapered ribs. O'Connell describes a spin tub with stiffening ribs. Josselyn describes a strengthening band holding a plurality of rods in the form of a cylinder. Accordingly, Claim 10 is submitted to be patentable over either Brucken in view of Josselyn or O'Connell in view of Josselyn.

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Claim 13 depends from independent Claim 10. When the recitations of Claim 13 are considered in combination with the recitations of Claim 10, Applicants submit that dependent Claim 13 is likewise patentable over either Brucken in view of Josselyn or O'Connell in view of Josselyn.

For at least the reasons set fourth above, Applicants respectfully request that the section 103 rejection of Claims 3 and 13 be withdrawn.

The rejection of Claims 4, 5, 7, 8, 9, 10, 11, 12, 15, 17, 18, and 20 under 35 U.S.C. § 103 (a) as being unpatentable over either Brucken or O'Connell is respectfully traversed.

Claims 4 and 5 depend from Claim 1 which is submitted to be patentable over either Brucken or O'Connell as indicated above. When the recitations of Claims 4 and 5 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 4 and 5 are likewise patentable over either Brucken or O'Connell.

Claims 7, 8, and 9 depend from Claim 6 which is submitted to be patentable over either Brucken or O'Connell as indicated above. When the recitations of Claims 7, 8, and 9 are considered in combination with the recitations of Claim 6, Applicants submit that dependent Claims 7, 8, and 9 are likewise patentable over either Brucken or O'Connell.

Claim 10 is submitted to be patentable over either Brucken or O'Connell in view of Josselyn as indicated above. Consequently, Claim 10 is also submitted to be patentable over either Brucken or O'Connell.

Claims 11, 12, and 15 depend from independent Claim 10. When the recitations of Claim 11, 12, and 15 are considered in combination with the recitations of Claim 10, Applicants submit that dependent Claim 11, 12, and 15 are likewise patentable over either Brucken or O'Connell.

Claims 17 and 18 depend from Claim 16 which is submitted to be patentable over either Brucken or O'Connell as indicated above. When the recitations of Claim 17 and 18 are considered in combination with the recitations of Claim 16, Applicants submit that dependent Claim 17 and 18 are likewise patentable over either Brucken or O'Connell.

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Claim 20 depends from Claim 19 which is submitted to be patentable over either Brucken or O'Connell as indicated above. When the recitations of Claim 20 are considered in combination with the recitations of Claim 19, Applicants submit that dependent Claim 20 is likewise patentable over either Brucken or O'Connell.

For at least the reasons set fourth above, Applicants respectfully request that the section 103 rejection of Claims 4, 5, 7, 8, 9, 10, 11, 12, 15, 17, 18, and 20 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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